

70596-1

2/14/2014

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

February 14, 2014

Nathan Ehresman
Nufarm Americas, Inc.
4020 Aerial Center Parkway, Suite 101
Morrisville, NC 27560

Subject: Notification per PR Notice 98-10
MCPA (Technical Acid)
EPA Reg. No. 70596-1
Application Dated January 30, 2014

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product. The Registration Division (RD) has conducted a review of this request and finds that the action falls within the scope of PRN 98-10. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mindy Ondish, for".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIF	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number Nufarm Americas Inc SJM Division/ 70596-1	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm Americas Inc SJM Division/ MCPA (TECHNICAL ACID)	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc SJM Division C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No.: _____ Product Name: _____	

Section - II

<input type="checkbox"/> Amendment – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

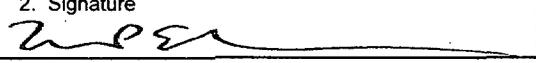
NOTIFICATION OF LABEL CHANGE Per PR Notice 98-10
See Attached

NOTIFICATION
FEB 14 2014

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <p style="text-align: center;">25KG, 1000 KG</p>		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product				<input type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Nathan P. Ehresman	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 919-379-2515
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Director, Regulatory Affairs	
4. Typed Name Nathan P. Ehresman	4. Date January 30, 2014	

ATTACHMENT TO LABEL NOTIFICATION DATED January 30, 2014

ACTION

Revision to the expression of measure of contents.

Removal of use statement that is no longer pertinent:

Uses for rice and grain sorghum are canceled. Technical and end-use product labels must be revised to delete all references to and use-directions for these canceled use patterns.

Updated Warranty Statement to a new version.

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 98-10 and PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



January 30, 2014

Nathan P. Ehresman
Director, Regulatory Affairs



NUFARM AMERICAS INC.
4020 Aerial Center Parkway
Morrisville, NC 27560
Phone: 919-379-2515

January 30, 2014

Attn: Kathryn Montague / PM 23
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject: **Nufarm Americas Inc SJM Division (Company # 070596) – C/O Nufarm Americas Inc.
MCPA (TECHNICAL ACID) (EPA Reg. No. 70596-1)
NOTIFICATION OF LABEL CHANGE**

Dear Ms. Montague:

Nufarm Americas Inc SJM Division is submitting the enclosed notification of label change according to PR Notice 98-10 to make minor revisions to the EPA Master label for 70596-1. We have revised how the measure of contents is expressed to comply with 40 CFR 156.10(d)(2). We have removed a statement from the Directions for use that is no longer pertinent

Uses for rice and grain sorghum are canceled. Technical and end-use product labels must be revised to delete all references to and use-directions for these canceled use patterns.

Nufarm has updated the Warranty statement to a new version.

In support of this action, please find enclosed:

- Application for Pesticide Registration (8570-1)
- 2 copies of the label containing the revised wording (1 highlighted and 1 clean copy)
- 1 CD containing an electronic copy of the proposed label with the revised wording.

Please contact me at 919-379-2515 (or nathan.ehresman@us.nufarm.com) if you have any questions regarding this action.

Kind regards,

Nathan P. Ehresman
Director, Regulatory Affairs
Nufarm Americas Inc

MCPA (TECHNICAL ACID)

For Manufacturing Use Only

NOTIFICATION

FEB 14 2014

ACTIVE INGREDIENT:

4-Chloro-2-methylphenoxyacetic acid (CAS No. 94-74-6) 96.6%

OTHER INGREDIENTS: 3.4%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
 (If you do not understand the label, find someone to explain it to you in detail.)

SEE BELOW FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
 For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 70596-1
 EPA EST. NO. _____

NET WEIGHT: _____ LBS (_____ KG)

Manufactured For
 NUFARM AMERICAS LLC
 SJM Division
 4020 Aerial Center Parkway
 Morrisville, NC 27560



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER**

May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals..

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • DO NOT induce vomiting unless told to do so by the poison control center or doctor. • DO NOT give anything by mouth to an unconscious person.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

DO NOT discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. **DO NOT** discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire label before using this product.

For use only by manufacturers in the formulation of herbicides. Formulators using this product are responsible for obtaining EPA registration of their formulated products.

Only for formulation into a herbicide for the following uses: wheat, barley, flax, oats, peas, rye, alfalfa, clover, lespedeza, trefoil, vetch, pasture/rangeland, lawn/turf, and non-crop.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Always use original container to store pesticides in a cool, dry secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well-ventilated areas. Keep container tightly sealed when not in use. If container is damaged or if pesticide has leaked, clean up all spilled material. Place in a closed, labeled container.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into formulation equipment, then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV013014)

LABEL HISTORY

File Name	Revision Mark	Comment
070596-00001.20140130.DRAFT	RV013014	Updated measure of contents, Updated Warranty Statement